

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**In re:**

**SERTA SIMMONS BEDDING, LLC,**  
***et al.,***

**Debtors.<sup>1</sup>**

**SERTA SIMMONS BEDDING, LLC,**  
*et al.,*

**Plaintiffs,**

**V.**

**AG CENTRE STREET PARTNERSHIP**  
**L.P., *et al.*,**

**Defendants.**

## Chapter 11

**Case No. 23-90020 (DRJ)**

**(Jointly Administered)**

Adversary Proc. No. 23-09001

**ORDER EXCLUDING THE TESTIMONY OF SARAH M. WARD**

Upon the motion, dated May 9, 2023 (the “**Motion to Exclude**”), filed by Serta Simmons Bedding, LLC, Barings LLC, Boston Management and Research, Credit Suisse Asset Management, LLC, Eaton Vance Management and Invesco Senior Secured Management, Inc., (collectively, “**Plaintiffs**”) for entry of an order excluding the testimony of Sarah M. Ward, whom Defendants seek to introduce as an expert at trial; and this Court having jurisdiction to consider the Motion to Exclude and the relief requested therein pursuant to 28 U.S.C. § 1334; and consideration of the Motion to Expedite and the requested relief being a core proceeding

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Dawn Intermediate, LLC (6123); Serta Simmons Bedding, LLC (1874); Serta International Holdco, LLC (6101); National Bedding Company L.L.C. (0695); Serta Simmons Bedding Manufacturing Company (5743); The Simmons Manufacturing Co., LLC (0960); Dreamwell, Ltd. (2419); Serta Simmons Bedding Hospitality, LLC (2016); Serta Simmons Bedding Logistics, LLC (6691); Simmons Bedding Company, LLC (2552); Tuft & Needle, LLC (6215); Tomorrow Sleep LLC (0678); Serta Simmons Bedding Retail, LLC (9245); and World of Sleep Outlets, LLC (0957). The Debtors' corporate headquarters and service address for these chapter 11 cases is 2451 Industry Avenue, Doraville, Georgia 30360.

pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion to Exclude having been provided; and such notice having been adequate and appropriate under the circumstances, and it appearing that no other or further notice need be provided; and this Court having reviewed the Motion to Exclude; and all objections, if any, to the Motion to Exclude having been withdrawn, resolved, or overruled; and this Court having determined that the legal and factual bases set forth in the Motion to Exclude establish just cause for the relief granted therein; and upon all of the proceedings had before this Court and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED THAT**

1. Plaintiffs' Motion to Exclude is **GRANTED**, and the testimony of Sarah M. Ward, whom Defendants seek to introduce as an expert at trial, is excluded.
2. Plaintiffs are authorized to take all actions necessary or appropriate to carry out the relief granted in this Order.
3. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Dated: \_\_\_\_\_, 2023  
Houston, Texas

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**DAVID R. JONES**  
**UNITED STATES BANKRUPTCY JUDGE**